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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/656,460	09/05/2003	Eldon M. Sutphin	20030097-US	8444

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EXAMINER

HUNNINGS, TRAVIS R

ART UNIT PAPER NUMBER

2632

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/656,460

Applicant(s)

SUTPHIN, ELDON M.

Examiner

Travis R Hunnings

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3, 6, 7, 14, 15 and 18-20 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Delmonaco (US Patent 6,052,052).

Regarding claim 1, Delmonaco discloses *Portable Alarm System* that has the following claimed subject matters:

The claimed sensor module adapted to sense one or more event types is met by the remote sensors, each of which provide a standard normally open or normally closed trip indication (col2 1-4);

The claimed storage module adapted to store a voice message including a deployment location description of the device is met by the static solid state memory that can store at least one prerecorded audible message (col2 7-42) that can include the location of the tripped zone or the event and other appropriate information (col4 39-41);

The claimed transmitter adapted to wirelessly transmit the voice message in response to the sensor being triggered is met by the radio transceiver that transmits the prerecorded message for the particular zone when the controller receives a tripped sensor indication (col2 7-42).

Regarding claim 3, the claimed processor operatively coupled to the transmitter and the storage module and adapted to control operation of the device is met by the controller including solid state memory and being interfaced to the radio transceiver (col2 7-42) and the controller being a microprocessor based controller (col3 66-67). See figure 1.

Regarding claim 6, the claimed microphone operatively coupled to an amplifier thereby enabling the voice message to be captured and converted into an electronic signal is met by the microphone (60) recording audio messages (col4 28-30). Examiner takes official notice that it is well known in the art to use an amplifier to help with voice recording applications and including one in the device of Delmonaco would have therefore been obvious to one of ordinary skill in the art.

The claimed switch operatively coupled to the processor and adapted to enable a voice message recording session is met by the momentary three position record/test switch (col6 51-54).

Regarding claim 7, the claimed microphone operatively coupled to an amplifier thereby enabling real-time ambient sound to be captured and converted into an electronic signal is met by the at least one microphone interface to provide the listening function from a microphone located in the desired area for listening (col2 39-42). Examiner takes official notice that it is well known in the art to use an amplifier to help with voice recording applications and including one in the device of Delmonaco would have therefore been obvious to one of ordinary skill in the art.

The claimed transmitter being further adapted to wirelessly transmit the electronic signal is met by the transceiver providing remote listening over the radio channel (col4 47-52).

Regarding claim 14, Delmonaco discloses the following claimed subject matters:

The claimed method comprising a step in response to no sensor being triggered, continuing monitoring for at least a set period of time is met by the controller monitoring for a tripped sensor indication continuously (col2 7-42). The sensor system of Delmonaco will always wait until a sensor has triggered and will monitor for as long as power is supplied to the system for that trigger and therefore would monitor for any set period of time until a sensor is triggered;

The claimed step in response to determining that a sensor has been triggered, transmitting a recorded message including a verbal description of the sensor location is met by the radio transceiver transmitting the recorded voice message when the controller determines that a sensor has been triggered (col2 7-42).

Regarding claim 15, the claimed step of receiving an activation signal to initiate a set-up mode is met by setting the switches to their initial positions and turning the system on as described in column 6, lines 41-49;

The claimed step of enabling a voice message recording session is met by pushing the momentary three position record/test switch (col6 51-54);

The claimed step of recording the message including the verbal description of the sensor location is met by the operator recording the message including the location of the tripped zone or the event and other appropriate information (col4 28-30 and 39-41).

Regarding claim 18, the claimed step of transmitting real-time sound from the area for a period of time relative to a sensed event is met by the microphone providing remote listening to the operator upon receipt of a command to do so by the operator (col2 39-42 and col4 47-52). The operator controls how long the remote listening occurs and can stop the listening when they have determined that there is no longer an event occurring due to no sound coming from the remote device or a further lack of remote alarm signals coming over the radio channel.

Regarding claim 19, the claimed method comprising the step of identifying a location to be monitored is met by the controller being portable and readily set-up for monitoring a desired location (col4 26-28);

The claimed step of enabling a sensor voice recording session is met by pushing the momentary three position record/test switch to enable a voice message to be recorded (col6 51-54);

The claimed announcing at least one of operator name and sensor location, thereby creating a recording a voice message for transmission when the sensor triggers is met by the operator recording a message that can include the location of the tripped zone or the event and other appropriate information (col4 39-41).

Regarding claim 20, the claimed step of tuning a remote receiver to the common channel, thereby enabling a communication link between the remote receiver and the area is met by the transceiver being settable to a preselected radio frequency channel that is linked to standard radio communications systems of on-duty security personnel (col2 7-42).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2, 8 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Delmonaco.

Regarding claim 2, Delmonaco discloses all of the claimed limitations but does not explicitly disclose the claimed voice message further including an operator's name. However, Delmonaco teaches the voice message including the location of the tripped zone or the event and other appropriate information (col4 39-41). It would have been obvious to one of ordinary skill in the art to include the operator's name as other appropriate information to properly identify the operator who set up the device so that more information would be available in the event of a sensor triggering event.

Regarding claim 8, Delmonaco discloses all of the claimed limitations but does not explicitly disclose the claimed digitizer adapted to receive a captured voice message and to convert it to a digital signal for storage in the storage module. However, Delmonaco teaches audio messages being field recorded and stored via microphone and audio storage which is a static solid state memory that stores the message in digital electronic form (col4 28-32). It would have been obvious to one of ordinary skill in the art to use a digitizer to convert the message to a digital electronic format because it is well known that digitizers can be used to convert analog values, such as voice signals, into digital values.

Regarding claim 16, the claim is interpreted and rejected as claim 2 stated above.

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5. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Delmonaco in view of Kail, IV (Kail; US Patent 5,959,529).

Regarding claim 4, Delmonaco discloses all of the claimed limitations except for the claimed processor being able to command the transmitter to transmit in analog and digital. Kail discloses *Reprogrammable Remote Sensor Monitoring System* that teaches a processor that can be set up to transmit the information from a sensor system in either analog or digital (col4 21-29). It would be a benefit to have a processor that can transmit in either analog or digital because it would be operable with receivers of either type. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Delmonaco according to the teachings of Kail to modify the processor to be able to transmit in both analog and digital.

6. Claims 5 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Delmonaco in view of Mehaffey et al. (Mehaffey; US Patent 5,283,549).

Regarding claim 5, Delmonaco discloses all of the claimed limitations except for the claimed processor being further adapted to carry out a power conservation mode where one or more power consuming components of the device are commanded to a sleep or low power mode during periods of inactivity. Mehaffey discloses *Infrared Sentry with Voiced Radio Dispatched Alarms* that teaches a power-conserving sleep

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mode where the processor shuts down the part or the entire system to conserve batteries and will only wake up the system on predetermined conditions (col10 28-68 and col11 1-12). Altering the processor of Delmonaco to utilize a power conserving sleep mode would increase the battery life of the system without sacrificing the readiness of the system and would therefore be a benefit by not having to be constantly connected to power or replacing the batteries as frequently. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Delmonaco according to the teachings of Mehaffey to include a power conserving sleep mode in the system.

Regarding claim 13, Delmonaco discloses all of the claimed limitations except for the claimed sensor module employing at least one of IR, acoustic, radar, electro-static, and seismic sensing capability. Mehaffey teaches a sensor system detecting the presence of a person in a location using infrared technology (col2 14-57). The use of infrared technology as the sensor system of Delmonaco would allow for a cheap and easy sensor system that can easily detect the presence of someone in a zone of interest. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Delmonaco according to the teachings of Mehaffey to use an infrared sensor system.

7. Claims 9-12 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Delmonaco in view of Issa et al. (Issa; US Patent 5,990,786).

Regarding claim 9, Delmonaco discloses all of the claimed limitations except for the claimed processor that is adapted to determine a confidence level associated with a sensor signal provided by the sensor module. Issa discloses *Advanced Method of Indicating Incoming Threat Level to an Electronically Secured Vehicle and Apparatus Therefore* that teaches a system that uses an IC to determine the signal strength of a sensor value (col3 19-67, col4 1-5, col5 12-15, col13 28-45 and col14 5-31) by comparing that value with a preset value to determine how strong of a signal was sent by the sensor (col7 20-27) and only initiating an alarm when an acceptable signal strength level is encountered. Altering the processor of Delmonaco to include the functionality of determining the strength of the sensor signal would allow the processor to determine if the signal was strong enough to alert the operator and would therefore cut down on nuisance alarms. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Delmonaco according to the teachings of Issa to modify the processor to be able to determine the strength of the sensor signal.

Regarding claim 10, the claim is interpreted and rejected as claim 9 stated above.

Regarding claim 11, the claim is interpreted and rejected as claim 9 stated above.

Regarding claim 12, Delmonaco discloses all of the claimed limitations except for the claimed processor further adapted to command transmission of a pre-stored message indicative of the confidence level. Issa teaches an alarm signal that varies with the strength of the signal received from the sensor (col3 19-67, col4 1-5, col5 12-15, col13 28-45 and col14 5-31). Modifying the processor of Delmonaco to provide the additional information of the severity of the sensor signal would help the operator to determine how important the alarm signal is and the more information regarding the alarm signal the better the operator can deal with the situation. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Delmonaco according to the teachings of Issa to modify the processor to send an additional prerecorded message indicating how strong the sensor signal is to the operator.

Regarding claim 17, the claim is interpreted and rejected as claim 12 stated above.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Morris, *Environment Condition Detector with Audible...* US Patent 6,600,424

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Mallory et al. *Voice Interactive Security System*, US Patent 4,821,027

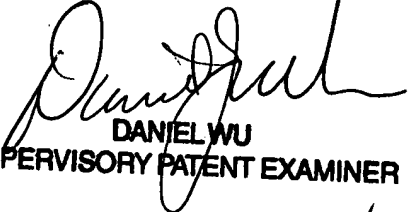
Routman et al. *Fire Detector and Alarm System*, US Patent 5,349,338

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Travis R Hunnings whose telephone number is (571) 272-3118. The examiner can normally be reached on 8:00 am - 5:00 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TRH


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01/10/05